

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 19, 2002

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Mallano, J. and Shirley Beaux, Deputy Clerk.

Each of the following:

B146629 People v. Barbee
B147841 People v. Terry
B148205 People v. Reagan
B148329 People v. Hernandez
B148715 People v. Orozco
B148764 People v. Dill
B149810 People v. Harris
B149956 People v. Lopez
B150462 People v. Miles
B150723 People v. Thomas
B150765 People v. Gathright
B150793 People v. Grant
B151001 People v. Alonso G.
B151161 People v. Andrews
B152267 People v. Hector J.
B153458 People v. Rodriguez

Argument waived, cause submitted.

B144066 People
v.
Hughes

Merits:

Argued by Steffan Imhoff for appellant and by Jason C. Tran, Deputy Attorney General, for respondent. Cause submitted.

Mallano, J. leaves the bench.

DIVISION ONE (Continued)

B152598 People
 v.
 Cano

Merits:

Argued by Carol S. Boyk for appellant and by Marc J. Nolan, Deputy Attorney General, for respondent. Cause submitted.

B146769 People
 v.
 Gutierrez et al.

Merits:

Argued by Maxine Weksler for appellant Dorsey and by Corey J. Robins, Deputy Attorney General, for respondent. Counsel Linda E. Buchser waived argument for appellant Gutierrez. Cause submitted.

Mallano, J. returns to the bench.

B150649 People
 v.
 Fortune

Merits:

Argued by Ronnie Duberstein for appellant and by Jeffrey Hoskinson, Deputy Attorney General, for respondent. Cause submitted.

B145849 Peck/Jones Construction Corp., et al.
 v.
 Truck Insurance Company

Merits:

Argued by Gerald M. Serlin for appellants and by Marc J. Poster for respondent. Cause submitted.

Mallano, J. leaves the bench.

DIVISION ONE (Continued)

B147935 Richard Silva
 v.
 Aleksey Oulko

Merits:
Argued by Paul F. Fegen for appellant and by Charles Nettels for
respondent. Cause submitted.

B151440 People
 v.
 Jason S. Carver

Merits:
Argued by Donald R. Wager for appellant and by Jason Tran, Deputy
Attorney General, for respondent. Cause submitted.

Mallano, J. returns to the bench.
Spencer, P.J. leaves the bench.

B152142 RNC Capital Management
 v.
 Oakwood Capital Management et al.

Merits:
Argued by Richard P. Levy for appellant and by Mark Baute for
respondents. Cause submitted.

B143151 Michelle Murray et al.
 v.
 Salinas Landscaping and Tree Preservation, Inc.

Merits:
Argued by Peter K. Levine for appellant and by Angela Lui Walsh for
respondent. Cause submitted.

Spencer P.J. returns to the bench.
Mallano, J. leaves.

DIVISION ONE (Continued)

B131421 West Century 102 LTD., et al.
 v.
 City of Inglewood, et al.

Merits:

Argued by Stuart B. Esner for appellants/respondents City of Inglewood, et al. and by George W. Coleman for respondents/appellants West Century 102 Ltd., et al. Cause submitted.

Mallano, J. returns.
Vogel, J. leaves.

B146035 Cohen
 v.
 Home Depot USA, Inc.

Merits:

Argued by Shirin Shojapour for appellant and by Gregory A. Willie for respondent. Cause submitted.

Vogel, J. returns.

B149869 Sea-Land Motor Freight, Inc. et al.
 v.
 Union Pacific Railroad Co.

Merits:

Argued by Joseph P. Wohrle for appellants and by Marilyn J. Bacon for respondent. Cause submitted.

Mallano, J. leaves the bench.

B152173 Cabot, Cabot & Forbes Development Co., Inc. et al.
 v.
 D.W. Burhoe Construction Inc.

Merits:

Argued by Brian F. Zimmerman for appellants and by Steven A. Freeman for respondent. Cause submitted.

Court adjourned.

DIVISION TWO

B147183 People
v.
Lopez

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed November 25, 2000) dismissed.

B154132 Jennetta P. (Not for Publication)
v.
Superior Court, Los Angeles County
(D.C.F.S., r.p.i.)

The petitions for writ of mandate are denied, and the order to show cause is dismissed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION THREE

B148917 Los Angeles County, D.C.S. (Not for Publication)
v.
D. Mike K.

The orders are affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

April 19, 2002-Continued

DIVISION THREE (Continued)

B146469 People (Not for Publication)
v.
Lewis

The judgment is affirmed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B144972 Insurance Company of the West (Certified for Publication)
v.
Pangborn Plumbing Corp. et al.
Carruthers & Skiffington, et al.

The order entered July 18, 2000, is reversed. Upon remand, the trial court is directed to take such further action as is appropriate and consistent with the views expressed in this opinion. Pangborn Plumbing Corporation and R. Pangborn are awarded their costs on appeal against American Benefit Plan Administrators and Carruthers & Skiffington, Robert Carruthers and Gary Carruthers.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

B151065 People (Not for Publication)
v.
Saddler

The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

April 19, 2002-Continued

DIVISION FOUR (Continued)

[illegible]

The judgments are affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FIVE

B152203 Lillian Schaeffer (Not for Publication)
v.
Jewish Family Service of Los Angeles

The May 8, 2001 order denying Mrs. Schaeffer's petition for removal of JFS as conservator is vacated. The order sealing the April 23, 2001 report by Robert Berman, conservatee's attorney, is also vacated. The matter is remanded for further proceedings consistent with this opinion. Each party to bear its own fees on appeal.

Armstrong, J.

We concur: Turner, P.J.
 Grignon, J.

B141962 Marc Lafer (Not for Publication)
v.
Charly Becker

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION FIVE (Continued)

B146708 Jarrow Formulas, Inc.
 v.
 Sandra Hogan La Marche, et al

Filed order denying petition for rehearing. Mosk, J. would grant rehearing.

B147332 Lynn Jacoby (Certified for Partial Publication)
 v.
 Terry Goddard
 Michael York

The order imposing \$2,023 in discovery sanctions against Michael G. York is reversed. The order imposing \$2,023 in discovery sanctions against Terry Goddard. The judgment is affirmed in all other respects. Each party is to bear their own costs on appeal.

Turner, P.J.

We concur: Grignon, J.
 Mosk, J.

DIVISION SIX

B154861 Foy
 v.
 The Regents of the University of California
B155750 Foy
 v.
 Simon

Filed order consolidating above captioned appeals into B154861.

B151260 People
 v.
 Santos

Filed order denying petition for rehearing.